



UNITED STATES MARINE CORPS

MARINE CORPS BASE
QUANTICO, VIRGINIA 22134-5001

MCBO 12750.1
c 017
4 Apr 86

MARINE CORPS BASE ORDER 12750.1

From: Commanding General
To: Distribution List

Subj: DISCIPLINARY AND ADVERSE ACTIONS TOWARD CIVIL SERVICE
EMPLOYEES

Ref: (a) MCDECO 12771.1A
(b) Federal Personnel Manual, Chapter 751 (NOTAL)
(c) Federal Personnel Manual, Chapter 752 (NOTAL)
(d) CPI 752 (NOTAL)

Encl: (1) Guideline Schedule of Disciplinary Offenses and
Penalties

1. Purpose. To publish the procedures which must be followed for disciplinary actions and adverse actions toward Civil Service employees; to assign responsibilities and provide guidance for the administration of discipline; and to delegate authority for initiating and accomplishing disciplinary adverse actions.

2. Cancellation. MCDECO 12750.1.

3. General Policy.

a. The purpose of discipline is to correct an offending employee and maintain morale and discipline among employees. Accordingly, the policy is to impose the minimum penalty that can reasonably be expected to achieve this purpose. Factors which must be considered before imposing a disciplinary penalty include the nature and gravity of the offense, the employee's length and quality of service, the employee's past disciplinary record, the nature of the employee's position, and any extenuating or mitigating circumstances.

b. The enclosure is a guide to managers and supervisors for the administration of discipline. It provides guidance on a consistent approach to penalties and reckoning periods for a list of commonly encountered offenses. This guide is not intended to cover every possible offense. Offenses and penalties not listed in the guide will be determined consistent with the guidelines contained in the enclosure. To afford employees a clear understanding and fair notice of what constitutes reasonable cause for disciplinary action, heads of departments and comparable activities will ensure that a copy of the enclosure is posted on all official bulletin boards.

4 Apr 86

c. Maintaining discipline and morale among employees and initiating appropriate disciplinary action when the facts warrant such action are the responsibility of every supervisor. To be effective, disciplinary action must be timely. The validity of discipline and its potential for success are almost always jeopardized whenever a responsible official does not take appropriate action within 30 days after learning of an offense or act of misconduct.

d. When determining the severity of a penalty to be imposed as discipline, the responsible official must review any record of prior offenses by the offending employee. A prior reprimand may be weighed only if its effective date was within two years of the date of the current notice of proposed disciplinary action. A prior suspension may be used as a basis for a more severe penalty only if the effective date was within three years of the notice of proposed disciplinary action for a current offense.

e. Oral admonishments and letters of caution or admonishment or requirement are informal actions which frequently may be sufficient to correct deficiencies in an employee's work performance or conduct. Supervisors should consider using these measures before deciding upon formal disciplinary action, especially for minor violations of a rule or regulation. Incidents for which an employee is subjected to these informal actions will not be counted as offenses or infractions when a supervisor must determine if a subsequent event is a first, second, or third offense under the guidelines in the enclosure. Also, summaries of oral admonishments and letters of caution or admonishment or requirement may be retained by a supervisor for a period not to exceed one year. A record of these informal actions will not be filed in an employee's Official Personnel Folder, nor will a record be filed elsewhere in the Civilian Personnel Division. Incidents for which an employee has been admonished or cautioned and which have not been the subject of formal action may later be included among the reasons for a proposed disciplinary action. In such cases, the incidents must be cited with specificity, and the employee must be permitted to respond to them when disciplinary action is subsequently proposed.

f. Any disciplinary action demands the exercise of balanced judgment so that an employee will not be penalized out of proportion to the gravity of the offense. In taking disciplinary actions, comparable penalties should be imposed for comparable offenses.

4. Disciplinary Actions. Constructive disciplinary action must be intended to correct, and not to punish an employee. Thus, in most instances supervisors should consider progressive corrective action in matters of discipline. If informal action and less severe

4 Apr 86

formal actions do not bring about acceptable conduct or behavior, the most severe action of removal may become necessary. Also, certain acts or deeds of misconduct, by their very nature, may warrant removal in the first instance. The following is a discussion of the range of disciplinary actions which should permit an official to select the penalty which best fits the needs of the situation. Subparagraphs a, b and c below are not considered to be formal disciplinary actions, and are usually taken when a supervisor is acting in a constructive, counseling manner with no concern for discipline. They are described in this Order because, where feasible, supervisors should consider their use before considering disciplinary action. Subparagraphs d through g describe the formal disciplinary actions.

a. Letter of Caution or Admonishment. This is a nondisciplinary, written notice concerning conduct or work performance. It may be issued to an employee by an immediate supervisor or by a higher level official. It specifies the reasons for its issuance and advises the employee of the acceptable standards of conduct or work performance which must be met. A letter of caution or admonishment may or may not advise the employee of the specific consequences of failing to meet those standards. When the letter does advise the employee of such specific consequences, the letter of caution or admonishment itself is not appealable by employees outside the bargaining unit under the grievance procedures in reference (a). In effect, such a letter is a preliminary warning or notice of specific action which, if later effected, would then be covered under the grievance procedures. However, a letter of caution or admonishment which merely alludes to some unspecified disciplinary or administrative action is appealable by non-bargaining unit employees under the grievance procedures in reference (a). For bargaining unit employees (those represented by a Union), all such letters are grievable under the applicable negotiated grievance procedure.

b. Letter of Requirement. This is a nondisciplinary, written notice which levies a specific action or requirement upon the employee. It may be issued by an immediate-supervisor or by a higher level official. A letter of requirement may merely reiterate the assigned duties or standards of conduct or performance which are required of an employee. When the enumerated duties are those officially assigned to the employee, or when the standards of conduct or performance are those which are expected of all employees, the letter is not appealable by employees outside the bargaining unit under the procedures in reference (a). A letter which levies a requirement on an employee which is over and above that expected of other employees, or one which subjects an employee to certain controls not imposed on other employees, is appealable under the grievance procedures. For bargaining unit employees, however, all such letters are grievable under the applicable negotiated grievance procedure.

4 Apr 86

c. Oral Admonishment. An oral admonishment or warning is an informal action and often constitutes the first step in progressive discipline. As a rule, this is an appropriate action for minor violations of a rule or regulation, or to call an employee's attention to minor deficiencies in conduct or work performance. An oral admonishment will not be counted as a prior offense when determining a remedy under the enclosure and will not be made a matter of record in an employee's Official Personnel Folder. An oral admonishment is neither grievable nor appealable.

d. Letter of Reprimand. A letter of reprimand is appropriate when a breach of the employer-employee relationship is of such nature as to warrant the temporary inclusion of a record in the employee's official personnel folder. It constitutes fair warning that the employee has failed or is failing to meet the prescribed standards of behavior. This can be the first in a possible series of formal disciplinary actions, each more severe in nature if the reprimand does not serve its corrective purpose. In certain types of offenses, a series of reprimands progressively more severe in tone would be found to carry the same weight as suspensions in justifying a subsequent removal action. A letter of reprimand is appealable by non-bargaining unit employees under the grievance procedures in reference (a). Bargaining unit employees must appeal through their applicable negotiated grievance procedure.

e. Suspension. A suspension places the employee temporarily in a nonpay, nonduty status and may be the final warning step in progressive disciplinary action leading to removal. A suspension is usually imposed in connection with serious breaches of conduct. It is normally not an appropriate penalty for unsatisfactory performance. Suspensions fall into two categories, namely suspensions of 14 calendar days or less, and suspensions of 15 calendar days or more. Substantially different procedures must be followed, as described below, for suspensions of 15 calendar days or more, and they are appealable to the Merit Systems Protection Board (MSPB).

f. Demotion. A demotion is rarely an appropriate disciplinary action since it is usually related to matters of performance. However, in some situations of misconduct which appear to warrant removal, demotion to a position of lesser responsibility and authority may be appropriate and serve as a more moderate penalty. (e.g., demotion from a supervisory to a nonsupervisory position.) Demotions are appealable to the MSPB.

g. Removal. Removal action should only be taken after less severe measures have failed to correct the offending employee, or when the offense is of such a serious nature that removal action is clearly warranted. In some cases removal action may be required by an employee's conduct off the job as well as on the job. It may also be based on action occurring before the employee's appointment. Removal action will be initiated only after it has

4 Apr 86

been clearly demonstrated that the employee does not conform to the accepted rules of conduct, and that such action will promote the efficiency of the service. Removals are appealable to the MSPB.

5. Procedures for Disciplinary Actions. There are no formal procedures for the informal actions described above, and letters of reprimand do not require advance written notice to the employee. All formal actions more severe than a letter of reprimand do, however, require adherence to the procedures described below.

a. Pre-action Investigation. Before issuing a letter of reprimand or a notice of proposed suspension, demotion or removal, the immediate supervisor or appropriate acting official must conduct a thorough inquiry or investigation. The nature and scope of the investigation will be determined by the acting official, based on the circumstances of the offense. It must be sufficient to determine and document those facts which necessitate disciplinary action.

(1) The pre-action investigation must include a discussion with the employee. If a bargaining unit employee requests that a union representative be present during such a pre-action discussion, the supervisor or investigating official must not proceed until the union has been given a reasonable opportunity to provide a representative. The pre-action investigation should be conducted by a supervisor or an official who has sufficient background or knowledge of the techniques for inquiry or investigation required by the circumstances of the case. The pre-action investigation will utilize whatever means is deemed necessary to establish and clarify the facts. A highly important part of the investigation is the interview with the employee, which should obtain the employee's own version of the facts and afford the employee an opportunity to explain his or her side of the matter. Unless a thorough pre-action investigation is conducted, pertinent information may not come to light until an appeal hearing or grievance inquiry, where information is later revealed which the supervisor should have considered before taking formal disciplinary action.

(2) After completion of the pre-action investigation, if it is determined that formal disciplinary action is justified, the immediate supervisor or other appropriate acting official will prepare and issue the letter of reprimand or notice of proposed disciplinary action.

b. Letter of Reprimand. Although not mandatory, it is sound Practice where time and circumstance permit for the supervisor to submit a draft letter of reprimand to the Director of Civilian Personnel (DCP) for procedural review and assistance before the supervisor issues the letter to the offending employee. After the pre-action investigation, however, the following procedures must be followed:

4 Apr 86

(1) The letter of reprimand must reference the discussion which was held with the employee as part of the pre-action investigation. It must cite with specificity the reasons for its issuance. It must state that the letter will be made a matter of record in the employee's Official Personnel Folder for a period of two years, unless determined otherwise by competent supervisory authority, and that the letter may be counted as a prior offense when determining a penalty for future offenses. For bargaining unit members, the retention period for a letter of reprimand is one year. It must contain a statement of the employee's grievance appeal rights and the time limit for the exercise of those rights, as established in reference (a) for non-bargaining unit members or in any applicable negotiated agreement for bargaining unit members.

(2) A copy of the letter of reprimand will be forwarded to the Director, Civilian Personnel Division for filing in the employee's Official Personnel Folder. The disciplined employee will be given the original and a copy of the letter of reprimand.

c. Suspensions of 14 Days or Less. Before issuing a notice of proposed suspension, the proposing official must submit a draft notice to the DCP for procedural and regulatory review. Establishing the substance of the action, and the decision to act are the responsibility of line management. In addition to the necessary pre-action investigation, the following procedures must be followed;

(1) The proposing official must issue a written advance notice of the proposed suspension to the employee, stating the reasons specifically and in detail. Normally, the notice shall be given to the employee at least 10 calendar days in advance of the proposed effective date of the suspension. Under normal circumstances, the employee must be retained in an active duty status during the notice period. In extraordinary cases, if a management official proposes to place an employee in a nonduty status during the notice period, the DCP must be consulted for regulatory advice.

(2) The employee will be allowed a reasonable amount of official time to review the material relied upon to support the proposal, to prepare an oral or written answer and to secure affidavits, if the employee is otherwise in an active duty status. The advance notice must identify the deciding official and state the name and title of the official designated to hear an oral reply and receive the written reply. The advance notice must also inform the employee of the requirement to present any contemplated answer within five calendar days of receipt of the notice of proposed suspension. The employee may request additional time to respond orally and in writing. The official designated to accept the response will make a decision regarding such a request. Throughout the presentation of an answer, a bargaining unit employee has the right to be represented and assisted by a union representative;

4 Apr 86

non-unit employees may be represented by representatives of their own choosing.

(3) After all the facts and circumstances have been considered, including any answer which the employee has submitted, the deciding official shall issue a written decision to the employee. The decision letter must be delivered before the effective date of the suspension, if the decision is to suspend. The decision letter must inform the employee of the reasons for the action, and must include a statement of the employee's grievance appeal rights and the time limit for exercising those rights, as established in reference (a) or in any applicable negotiated agreement. These suspensions are not appealable to the MSPB.

d. Suspensions of 15 Days or More, Demotions and Removals. These actions constitute adverse personnel actions which are appealable to the MSPB. Before any notice proposing one of these adverse actions is issued, the proposing official must submit a draft of the notice to the DCP for review and assistance. The DCP will provide procedural and regulatory advice and insure that the requirements of references (b), (c) and (d) are met, before the notice is issued. The following requirements must be met:

(1) The proposing official must issue a written notice of proposed adverse action to the employee at least 30 calendar days in advance of the proposed effective date of the adverse action (unless there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed). The notice must state specifically and in detail the reasons for the proposed adverse action. The material on which the notice is based and which is relied upon to support the reasons in the notice, including statements of witnesses, documents, and investigative reports (or extracts), must be assembled and made available to the employee and the employee's representative upon request. Under normal circumstances, the employee must be retained in a duty status during the entire notice period.

(2) The advance notice must present, and the entire adverse action must document, a case which can meet the following tests:

(a) The action can be demonstrated to be for such cause as will promote the efficiency of the service.

(b) Where possible, management has made a good faith effort to assist the employee in correcting deficiencies, but these efforts have failed.

(c) The evidence has been thoroughly documented and can be supported by testimony or records in an appeal,

(d) The proposed action is consistent with other actions taken by responsible officials.

4 Apr 86

(3) The employee will be permitted to submit an answer to the advance notice in writing or in person, or in both fashions. The advance notice must state the name and title of the deciding official and the official designated to hear an oral reply and/or receive the written reply. The official who receives the answer must give full consideration to that answer before reaching a decision or recommending a decision on the proposed adverse action.

(4) The employee will normally be allowed 15 calendar days from receipt of the advance notice to answer the notice in person or in writing, or in both fashions. It is the right of the employee or the employee's representative to review the material which is relied upon to support the reasons given in the notice. The employee and the employee's representative will be allowed a reasonable amount of official time to prepare and present an answer and to furnish affidavits in support of the answer. The opportunity to reply orally must be an opportunity for the employee to make known his or her point of view. The reply need not relate solely to the reasons specified in the notice, but may relate to any representations which the employee considers appropriate. The meeting is not meant to be an interrogation or hearing, nor is it an extension of the initial investigative procedure. Care should be exercised to preclude argumentative discussions. The official receiving an oral reply will prepare a written summary of the reply for inclusion in the case file.

(5) After all evidence in the adverse action file has been considered, and after any written and personal answer of the employee has been fully considered, the deciding official will issue a written decision to the employee at the earliest practicable date. For bargaining unit employees, the decision must be within 15 days after the date set for the employee's reply. If the decision is to take the proposed adverse action, the decision letter will be issued to the employee before the effective date of that action. The decision letter will inform the employee of the reasons for the action, and it will contain an explanation of the employee's appeal rights. The DCP will ensure that such decision letters contain an explanation of alternative appeal rights which have been negotiated for bargaining unit employees.

6. Delegation of Disciplinary Authority

a. General. All disciplinary actions more severe than a letter of reprimand require two levels of management participation: the proposal level and the decision level. The management official who renders a final decision on a proposed suspension, demotion or removal must be of higher organizational level than the official who proposed the action. The employee's answer to the notice of proposed adverse action should be directed to and considered by either the deciding official or an official who is in a position to influence effectively the decision of the deciding official.

4 Apr 86

Where feasible, the official who receives the employee's answer should be other than the individual who proposed the action; where not feasible, the proposing official or deciding official may receive the answer.

b. Letters of Reprimand. All supervisors, military and civilian, at every organizational level, are authorized to prepare and issue letters of reprimand.

c. Suspensions of 14 Days or Less

(1) Proposal Level. Division heads and higher level officials are authorized to issue notices of proposed suspension of 14 days or less.

(2) Decision Level. Department heads, special staff officers and higher level officials are authorized to issue decisions to suspend for 14 days or less, when those actions have been proposed by their subordinate officials.

d. Suspension of 15 Days or More, Demotions and Removals

(1) Proposal Level. Division heads and higher level officials are authorized to issue notices of proposed suspension of 15 days or more, demotions or removals.

(2) Decision Level. Department heads, special staff officers and higher level officials are authorized to issue decisions to suspend for 15 days or more, to demote or to remove, when those actions have been proposed by their subordinate officials.

e. Limitation. Authority to propose or to decide disciplinary actions under this paragraph may be exercised by an official "acting" in the absence of the management official having authority to propose or decide such actions, but the authority will not be exercised "by direction."

7. Appeals and Grievances. Appeals and grievances from disciplinary actions taken under the provisions of this Order must be processed in accordance with the procedures either in reference (a) or in negotiated agreements with recognized unions. Since appeal procedures for employees represented by unions differ from the procedures in reference (a), it is essential that draft decision letters be staffed promptly through the DCP. The DCP will ensure that appropriate appeal procedures are described in each decision letter.

8. Action. The Director, Civilian Personnel Division will:

a. Provide technical advice and assistance to all levels of management in disciplinary and nondisciplinary adverse action matters.

4 Apr 86

b. Review disciplinary actions for procedural requirements and conformance with the policy and guidelines in this Order.

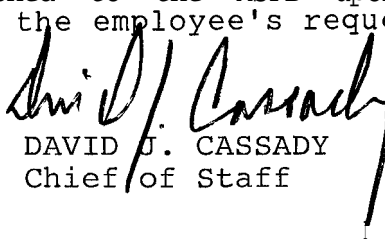
c. Provide assistance on technical matters relating to the exercise of due process and appeal rights upon request of employees against whom disciplinary or adverse action is proposed or taken.

d. Review all notices of proposed adverse action and notices of final decision prior to their issuance to ensure that all requirements are met.

e. Maintain records of all disciplinary and adverse actions. At a minimum, these records shall contain copies of:

- (1) the proposed action
- (2) the employee's written answer, if any
- (3) a summary of the employee's oral reply, if one was made
- (4) the notice of decision and the reasons therefore
- (5) any supporting material
- (6) any order effecting the decision.

f. The record shall be furnished to the MSPB upon its request and to the employee affected upon the employee's request.


DAVID J. CASSADY
Chief of Staff

DISTRIBUTION: A/C Plus 4 (100)

4 Apr 86

GUIDELINE SCHEDULE OF DISCIPLINARY OFFENSES AND PENALTIES

INSTRUCTIONS FOR USE OF SCHEDULE

1. This schedule is intended to be a guide to judgement and not a substitute for responsible supervisory judgement.
2. Many of the items listed on this schedule combine several offenses in one statement connected by the word "OR." Usage of the word "OR" in a charge makes it nonspecific. Therefore, use only the items which describe the employee's actual conduct and leave out parts which do not apply.
3. Depending on mitigating or aggravating factors, a penalty outside the general range may be imposed.
4. Suspension penalties on this schedule refer to calendar days.
5. When considering past offenses in determining a corrective action, the notice of proposed disciplinary action should cite specifically the past offense in sufficient detail to allow the employee to respond. Past offenses may only be counted if the employee was disciplined in writing, the employee had the right to dispute the action to a higher level, and the action was made a matter of record in the official personnel folder.
6. For information concerning other offenses for which employees may be disciplined by removal, fine or imprisonment, see FPM Chapter 735 or consult the Civilian Personnel Office.

ENCLOSURE (1)

4 Apr 86

OFFENSE AND RANGE OF REMEDIES

OFFENSE	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
<u>ATTENDANCE</u>			
EXCESSIVE UNAU- THORIZED ABSENCE (MORE THAN 5 CON- SECUTIVE WORK DAYS)	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
FALSIFYING ATTEN- DANCE RECORD FOR ONESELF OR ANOTHER EMPLOYEE	Reprimand to 5-day suspension	5-day suspension to removal	10-day suspension to removal
LEAVING JOB TO WHICH ASSIGNED OR NAVY PREMISES AT ANY TIME DURING WORKING HOURS WITHOUT PROPER PERMISSION	Reprimand to 5-day suspension	5 to 10-day suspension	10-day suspension to removal
UNEXCUSED OR UNAUTHORIZED ABSENCE ON ONE OR MORE SCHEDULED DAYS OF WORK OR ASSIGNED OVERTIME	Reprimand to 2-day suspension	1 to 5-day suspension	5-day suspension to removal
UNEXCUSED TARDINESS	Reprimand	Reprimand to 1-day suspension	Reprimand to 2-day suspension
<u>CONDUCT</u>			
UNAUTHORIZED POS- SESSION (INCLUDING ACTUAL OR ATTEMPTED WRONGFUL REMOVAL FROM ITS PROPER LOCATION) OF GOVERN- MENT PROPERTY OR THE PROPERTY OF OTHERS	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
CRIMINAL, DISHONEST, INFAMOUS OR NOTORIOUSLY DIS- GRACEFUL CONDUCT	Reprimand to removal	5-day suspension to removal	10-day suspension to removal

ENCLOSURE (1)

4 Apr 86

DISOBEDIENCE TO CONSTITUTED AUTHORITIES, OR DELIBERATE REFUSAL TO CARRY OUT ANY PROPER ORDER FROM ANY SUPERVISOR HAVING RESPONSIBILITY FOR THE WORK OF THE EMPLOYEE; INSUBORDINATION	Reprimand to 5-day suspension	5-day suspension to removal	10-day suspension to removal
DISORDERLY CONDUCT; FIGHTING; THREATEN- ING OR ATTEMPTING TO INFLICT BODILY INJURY TO ANOTHER; ENGAGING IN DAN- GEROUS HORSEPLAY; OR RESISTING COM- PETENT AUTHORITY	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
DISRESPECTFUL CON- DUCT, USE OF INSULTING, ABUSIVE OR OBSCENE LANGUAGE TO OR ABOUT OTHER PERSONNEL	Reprimand to 5-day suspension	5-day suspension to removal	10-day suspension to removal
FAILURE TO CARRY OR SHOW PROPER IDENTIFICATION ON NAVY PREMISES AS REQUIRED BY COMPE- TENT AUTHORITY	Reprimand to 1-day suspension	1 to 2-day suspension	2 to 5-day suspension
FALSIFICATION, MISSTATEMENT, OR CONCEALMENT OF MATERIAL FACT IN CONNECTION WITH ANY OFFICIAL RECORD	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
FALSE TESTIMONY OR REFUSAL TO TESTIFY IN AN INQUIRY, INVESTI- GATION OR OTHER OFFICIAL PROCEEDING	Reprimand to removal	5-day suspension to removal	10-day suspension to removal

ENCLOSURE (1)

4 Apr 86

FILING FALSE CLAIMS AGAINST THE GOVERNMENT OR KNOWINGLY AIDING AND ASSISTING IN THE PROSECUTION OF SUCH CLAIMS	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
--	-------------------------	--------------------------------	------------------------------------

KNOWINGLY MAKING FALSE OR MALICIOUS STATEMENTS WITH THE INTENT TO HARM OR DESTROY THE REPUTA- TION, AUTHORITY, OR OFFICIAL STANDING OF INDIVIDUAL OR ORGANIZATIONS	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
--	-------------------------	--------------------------------	------------------------------------

*CARELESS WORKMAN- SHIP RESULTING IN SPOILAGE OR WASTE OF MATERIALS OR DELAY IN PRODUCTION	Reprimand to 5-day suspension	5 to 10-day suspension	10-day suspension to removal
--	----------------------------------	---------------------------	------------------------------------

*COVERING UP OR ATTEMPTING TO CONCEAL DEFECTIVE WORK; REMOVING OR DESTROYING SAME WITHOUT PERMISSION	Reprimand to 2-day suspension	1 to 5-day suspension	5-day suspension to removal
---	----------------------------------	--------------------------	-----------------------------------

*FAILURE OR DELAY IN CARRYING OUT ORDERS, WORK ASSIGNMENTS OR INSTRUCTIONS	Reprimand to 2-day suspension	1 to 5-day suspension	5-day suspension to removal
--	----------------------------------	--------------------------	-----------------------------------

*Action should be taken under CPI 432 rather than CPI 752 if these areas are covered in employee's critical elements and performance standards.

LOAFING, WASTING TIME, OR INATTEN- TION TO DUTY	Reprimand to 2-day suspension	1 to 5-day suspension	5-day suspension to removal
---	----------------------------------	--------------------------	-----------------------------------

SLEEPING ON DUTY	Reprimand to 5-day suspension	5-day suspension to removal	10-day suspension to removal
------------------	----------------------------------	--------------------------------	------------------------------------

ENCLOSURE (1)

WHERE LIFE OR PROPERTY IS ENDANGERED	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
--	-------------------------	--------------------------------	------------------------------------

UNAUTHORIZED USE OF, LOSS OF, OR DAMAGE TO GOVERNMENT PROPERTY OR THE PROPERTY OF OTHERS	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
---	-------------------------	--------------------------------	------------------------------------

GAMBLING OR BETTING DURING WORKING HOURS	Reprimand to 2-day suspension	Reprimand to 5-day suspension	Reprimand to removal
--	----------------------------------	----------------------------------	-------------------------

PROMOTION OF GAMBLING ON NAVY PREMISES	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
--	-------------------------	--------------------------------	------------------------------------

WILLFUL DAMAGE TO GOVERNMENT PROPERTY OR THE PROPERTY OF OTHERS	Reprimand to 5-day suspension	5-day suspension to removal	10-day suspension to removal
--	-------------------------------------	--------------------------------	------------------------------------

DISCRIMINATION

DISCRIMINATION AGAINST AN EMPLOYEE OR APPLICANT BECAUSE OF RACE, COLOR, RELIGION, SEX, HANDICAP, NATIONAL ORIGIN, OR AGE OR ANY REPRISAL ACTION ON SUCH BASIS AGAINST AN EMPLOYEE	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
--	-------------------------	--------------------------------	------------------------------------

SEXUAL HARASSMENT	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
-------------------	-------------------------	--------------------------------	------------------------------------

SAFETY

FAILURE TO OBSERVE PRECAUTIONS FOR PERSONAL SAFETY, POSTED RULES, SIGNS, WRITTEN OR ORAL SAFETY INSTRUCTIONS, OR TO USE PROTECTIVE CLOTHING OR EQUIPMENT	Reprimand to 2-day suspension	1 to 5-day suspension	10-day suspension to removal
---	----------------------------------	--------------------------	------------------------------------

ENCLOSURE (1)

4 Apr 86

VIOLETION OF SAFETY REGULATION WHICH ENDANGERS LIFE OR PROPERTY	Reprimand to 5-day suspension	2-day suspension to removal	10-day suspension to removal
ENDANGERING THE SAFETY OF OR CAUSING INJURY TO PERSONNEL THROUGH CARELESSNESS	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
FAILURE TO OBSERVE NO SMOKING REGULA- TIONS OR CARRYING MATCHES IN RE- STRICTED AREAS	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
VIOLETING TRAFFIC REGULATIONS, RECKLESS DRIVING ON NAVY PREMISES, OR IMPROPER OPERA- TION OF MOTOR VEHICLE	Reprimand to 2-day suspension	Reprimand to 5-day suspension	5 to 10-day suspension

SECURITY

FAILURE TO SAFE- GUARD CLASSIFIED MATTER OR OTHER SECURITY VIOLATIONS.	Reprimand to 5-day suspension	5-day suspension to removal	10-day suspension to removal
FAILURE TO SAFEGUARD CLASS- IFIED MATERIAL AND THE MATERIAL HAS BEEN COMPROMISED	Reprimand to removal	5-day suspension to removal	10-day suspension to removal

PROHIBITED PERSONNEL PRACTICE

COMMITTING A PRO- HIBITED PERSONNEL PRACTICE (SEE 5 U.S.C. 2302)	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
---	-------------------------	--------------------------------	------------------------------------

SUBSTANCE ABUSE

*Referral to Civilian Employee Assistance Program and reasonable accommodation must be provided prior to initiation of disciplinary action when the employee's substance abuse is a handicapping condition as defined in the Rehabilitation Act

ENCLOSURE (1)

4 Apr 86

of 1973 (29 C.F.R. 1613.701 et seq.) and the activity knew or should have known that the condition existed prior to the incident giving rise to the consideration of disciplinary action.

POSSESSION OF MARIJUANA, A NARCOTIC, OR A CON- TROLLED SUBSTANCE OR DRUG PARAPHERNALIA WITHOUT AUTHORIZATION ON DUTY	Reprimand to removal	10-day suspension to removal	14-day suspension to removal
--	-------------------------	---------------------------------	------------------------------------

*REPORTING FOR DUTY UNDER THE INFLUENCE OF MARIJUANA, A NARCOTIC, OR A CON- TROLLED SUBSTANCE WITHOUT AUTHORIZATION	14-day suspension to removal	30-day suspension to removal	Removal
--	---------------------------------	---------------------------------	---------

*USE OF OR BEING UNDER THE INFLUENCE OF MARIJUANA, A NARCOTIC, OR A CON- TROLLED SUBSTANCE WITHOUT AUTHORIZATION ON DUTY	14-day suspension to removal	30-day suspension to removal	Removal
--	---------------------------------	---------------------------------	---------

UNAUTHORIZED SALE OR TRANSFER OF MARIJUANA, A NARCOTIC, OR A CON- TROLLED SUBSTANCE OR DRUG PARAPHERNALIA ON DUTY	30-day suspension to removal	Removal
---	---------------------------------	---------

UNAUTHORIZED POSSESSION OF ALCOHOL ON DUTY	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
--	-------------------------	--------------------------------	------------------------------------

*REPORTING FOR DUTY UNDER THE INFLUENCE OF ALCOHOL	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
---	-------------------------	--------------------------------	------------------------------------

*USE OF OR BEING UNDER THE INFLUENCE OF ALCOHOL ON DUTY	Reprimand to removal	5-day suspension to removal	10-day suspension to removal
--	-------------------------	--------------------------------	------------------------------------

ENCLOSURE (1)

MCBO 12750.1

4 Apr 86

UNAUTHORIZED
SALE OR
TRANSFER OF
ALCOHOL ON DUTY

Reprimand to
to removal

5-day suspension
to removal

10-day
suspension
to removal

ENCLOSURE (1)